

**STATE PUBLIC BENEFITS (COMPREHENSIVE LIST)**

RE 205B (New 3/98)

**GENERAL INFORMATION**

- The following is a list of acceptable documents to establish U.S. citizenship (List A) or legal alien status (List B).
- Documentation should be submitted with a completed State Public Benefits Statement (RE 205).

**LIST A — ACCEPTABLE DOCUMENTS TO ESTABLISH U.S. CITIZENSHIP**

A person who is a citizen or national of the United States should submit one of the following:

**A. Primary evidence**

- A birth certificate showing birth in one of the 50 States, the District of Columbia, Puerto Rico (on or after January 13, 1941), Guam, the U.S. Virgin Islands (on or after January 17, 1917), American Samoa, Swain's Island or the Northern Mariana Islands, unless the person was born to foreign diplomats residing in the U.S.;
- United States passport (except limited passports, which are issued for periods of less than five years);
- Report of birth abroad of a U.S. citizen (FS-240) (issued by the Department of State to U.S. citizens);
- Certificate of birth (FS-545) (issued by a foreign service post) or Certification of Report of Birth (DS-1350) (issued by the Department of State), copies of which are available from the Department of State;
- Certificate of Naturalization (N-550 or N-570) (issued by the INS through a Federal or State court or through administrative naturalization after December 1990 to individuals who are individually naturalized; the N-570 is a replacement certificate issued when the N-550 has been lost or mutilated or the individual's name has been changed);
- Certificate of Citizenship (N-560 or N-561) (issued by the INS to individuals who derive U.S. citizenship through a parent; the N-561 is a replacement certificate issued when the N-560 has been lost or mutilated or the individual's name has been changed);
- United States Citizen Identification Card (I-197) (issued by the INS until April 7, 1983 to U.S. citizens living near the Canadian or Mexican border who needed it for frequent border crossings) (formerly Form I-179, last issued in February 1974);
- Northern Mariana Identification Card (issued by the INS to a collectively naturalized citizen of the U.S. who was born in the Northern Mariana Islands before November 3, 1986);
- Statement provided by a U.S. consular officer certifying that the individual is a U.S. citizen (this is given to an individual born outside the U.S. who derives citizenship through a parent but does not have an FS-240, FS-545 or DS-1350); or

- American Indian Card with a classification code "KIC" and a statement on the back (identifying U.S. citizen members of the Texas Band of Kickapoos living near the U.S./Mexican border).

**B. Secondary evidence**

If you cannot present one of the documents listed in A above, the following may be relied upon to establish U.S. citizenship or nationality:

- Religious record recorded in one of the 50 States, the District of Columbia, Puerto Rico (on or after January 13, 1941), Guam, the U.S. Virgin Islands (on or after January 17, 1917), American Samoa, Swain's Island or the Northern Mariana Islands (unless you were born to foreign diplomats residing in such a jurisdiction) within three months after birth showing that the birth occurred in such jurisdiction and the date of birth or your age at the time the record was made;
- Evidence of civil service employment by the U.S. Government before June 1, 1976;
- Census record showing name, U.S. citizenship or a U.S. place of birth and date of birth or age of applicant;
- Adoption Finalization Papers showing your name and place of birth in one of the 50 States, the District of Columbia, Puerto Rico (on or after January 13, 1941), Guam, the U.S. Virgin Islands (on or after January 17, 1917), American Samoa, Swain's Island or the Northern Mariana Islands (unless you were born to foreign diplomats residing in such a jurisdiction); or
- Any other document that establishes a U.S. place of birth or in some way indicates U.S. citizenship (e.g., a contemporaneous hospital record of birth in that hospital in one of the 50 States, the District of Columbia, Puerto Rico (on or after January 13, 1941), Guam, the U.S. Virgin Islands (on or after January 17, 1917), American Samoa, Swain's Island or the Northern Mariana Islands (unless you were born to foreign diplomats residing in such a jurisdiction)).

**C. Collective naturalization**

If you cannot present one of the documents listed in A or B above, the following will establish U.S. citizenship for collectively naturalized individuals:

**Puerto Rico:**

- Evidence of birth in Puerto Rico on or after April 1, 1899 and your statement that you were residing in the U.S. a U.S. possession or Puerto Rico on January 13, 1941; or
- Evidence that you were a Puerto Rican citizen and your statement that you were residing in Puerto Rico on March 1, 1917 and that you did not take an oath of allegiance to Spain.

**U.S. Virgin Islands:**

- Evidence of birth in the U.S. Virgin Islands, and your statement of residence in the U.S., a U.S. possession or the U.S. Virgin Islands on February 25, 1927;
- A signed statement indicating residence in the U.S. Virgin Islands as a Danish citizen on January 17, 1917 and residence in the U.S., a U.S. possession or the U.S. Virgin Islands on February 25, 1927, and that you did not make a declaration to maintain Danish citizenship; or
- Evidence of birth in the U.S. Virgin Islands and your statement indicating residence in the U.S., a U.S. possession or territory or the Canal Zone on June 28, 1932.

**Northern Mariana Islands (NMI) [formerly part of the Trust Territory of the Pacific Islands (TTPI)]:**

- Evidence of birth in the NMI, TTPI citizenship and residence in the NMI, the U.S., or a U.S. territory or possession on November 3, 1986 and your statement that you did not owe allegiance to a foreign state on November 4, 1986;
- Evidence of TTPI citizenship, continuous residence in the NMI since before November 3, 1981, voter registration prior to January 1, 1975 and your statement that you did not owe allegiance to a foreign state on November 4, 1986; or
- Evidence of continuous domicile in the NMI since before January 1, 1974 and your statement that you did not owe allegiance to a foreign state on November 4, 1986. Note: If you entered the NMI as a nonimmigrant and lived in the NMI since January 1, 1974, this does not constitute continuous domicile and you are not a U.S. citizen.

**D. Derivative citizenship**

If you cannot present one of the documents listed in A or B above, a determination of derivative U.S. citizenship may be made in the following situations with supporting documentation.

**You were born abroad to two U.S. citizen parents:**

- Evidence of the U.S. citizenship of your parents and your relationship to your parents, and evidence that at least one parent resided in the U.S. or an outlying possession prior to your birth.

**You were born abroad to a U.S. citizen parent and a U.S. non-citizen national parent:**

- Evidence that one parent is a U.S. citizen and that the other is a U.S. non-citizen national, evidence of the relationship of the applicant to the U.S. citizen parent,

and evidence that the U.S. citizen parent resided in the U.S., a U.S. possession, American Samoa or Swain's Island for a period of at least one year prior to your birth.

**You were born out of wedlock abroad to a U.S. citizen mother:**

- Evidence of the U.S. citizenship of your mother, evidence of your relationship to your mother and, for births on or before December 24, 1952, evidence that your mother resided in the U.S. prior to your birth or for births after December 24, 1952, evidence that your mother had resided, prior to your birth, in the U.S. or a U.S. possession for a period of one year.

**You were born in the Canal Zone or the Republic of Panama:**

- A birth certificate showing birth in the Canal Zone on or after February 26, 1904 and before October 1, 1979 and evidence that one parent was a U.S. citizen at the time of your birth; or
- A birth certificate showing birth in the Republic of Panama on or after February 26, 1904 and before October 1, 1979 and evidence that at least one parent was a U.S. citizen and employed by the U.S. government or the Panama Railroad Company or its successor in title.

**All other situations where an applicant claims to have a U.S. citizen parent and an alien parent, or claims to fall within one of the above categories but is unable to present the listed documentation:**

- If you are in the U.S., contact the local INS office for determination of U.S. citizenship; or
- If you are outside the U.S., contact the State Department for a U.S. citizenship determination.

**E. Adoption of foreign-born child by U.S. citizen**

- If your birth certificate shows a foreign place of birth and you cannot be determined to be a naturalized citizen under any of the above criteria, obtain other evidence of U.S. citizenship.
- Since foreign-born adopted children do not automatically acquire U.S. citizenship by virtue of adoption by U.S. citizens, you should go to your local INS district office for a determination of U.S. citizenship if you have no evidence of U.S. citizenship.

**F. U.S. citizenship by marriage**

If you acquired U.S. citizenship through marriage to a U.S. citizen before September 22, 1922, submit evidence of U.S. citizenship of your spouse, and evidence showing the marriage occurred before September 22, 1922.

**Note:** If your spouse was an alien at the time of the marriage, and became naturalized before September 22, 1922, you also acquired naturalized citizenship. If the marriage terminated, you maintained U.S. citizenship if you were residing in the U.S. at that time and continued to reside in the U.S.

**LIST B — ACCEPTABLE DOCUMENTS TO ESTABLISH ALIEN STATUS**

An alien lawfully admitted for permanent residence under the Immigration and Naturalization Act (INA) evidenced by one of the following:

**A. Documentation evidencing an approved petition or application for legal residency with the INS**

- INS Form I-551 (“Resident Alien Card” or “Alien Registration Receipt Card,” commonly known as a “green card”) with one of the following INS class of admission (“COA”) codes printed on the front of a white card or the back of a pink card: AR1, AR6, C20 through C29, CF1, CF2, CR1, CR2, CR6, CR7, CX1 through CX3, CX6 through CX8, F20 through F29, FX1 through FX3, FX6 through FX8, IF1, IF2, IR1 through IR4, IR6 through IR9, IW1, IW2, IW6, IW7, MR6, MR7, P21 through P23, or P26 through P28.
- INS Form I-551 with one of the following COA codes stamped on the lower left side of the back of a pink card: IB1 through IB3, IB6 through IB8, B11, 812, B16, B17, B20 through B29, B31 through B33, B36 through 838, BX1 through BX3, or BX6 through BX8.
- INS Form I-551 with COA code Z13.
- Unexpired Temporary I-551 stamp in foreign passport or on INS Form I-94 with one of the COA codes specified in the Subsections (1)-(3), above.
- INS Form I-797 indicating approval of an INS I-130 petition (only I-130 petitions describing the following relationships may be accepted: husbands or wives of U.S. citizens or lawful permanent residents (LPR), unmarried children under 21 years old of U.S. citizens or LPRs, or unmarried children 21 or older of LPRs), or approval of an I-360 petition (only I-360 approvals based on status as a widow/widower of a U.S. citizen or as a self-petitioning spouse or child of an abusive U.S. citizen or LPR may be accepted).
- A final order of an Immigration Judge or the Board of Immigration Appeals granting suspension of deportation under section 244(a)(3) of the INA as in effect prior to April 1, 1997, or cancellation of removal under section 240A(b)(2) of the INA.

**B. Documentation demonstrating that you have established a prima facie case for legal residency with the INS**

- INS Form I-797 indicating that you have established a prima facie case; or
- An immigration court or Board of Immigration Appeals order indicating that the applicant has established a prima facie case for suspension of deportation under NA section 244(a)(3) as in effect prior to April 1, 1997 or cancellation of removal under section 240A(b)(2) of the INA.

**C. Documentation indicating that you filed a petition for legal residency or that a petition has been filed on the applicant’s behalf, as applicable, but with no evidence of approval of the petition or establishment of a prima facie case**

- Applicants with petitions filed before June 7, 1997 must have an INS Form I-797 indicating filing of the I-360 petition by self-petitioning spouse (or child) of abusive U.S. citizen or lawful permanent resident; a file-stamped copy of the petition, or another document demonstrating filing (including a cash register or computer-generated receipt indicating filing of Form I-360).
- Applicants with petitions filed after June 7, 1997 must have an INS Form I-797 indicating filing of the I-360 petition.

**D. Documentation indicating that you filed a petition for legal residency or that a petition was filed on your behalf, as applicable**

The following must indicate that you are a widow/widower of a U.S. citizen, the husband or wife of a U.S. citizen or lawful permanent resident (LPR), the unmarried child under age 21 of a U.S. citizen or LPR, or the unmarried child age 21 or older of an LPR):

- For aliens on whose behalf a petition has been filed: INS Form I-797 indicating filing of an INS I-130 petition, a file-stamped copy of the petition, or another document demonstrating filing (including a cash register or computer-generated receipt indicating filing of Form I-130) (a sample copy of Form I-130 is attached to this Exhibit).
- For self-petitioning widows or widowers: a file-stamped copy of the INS I-360 petition, or another document demonstrating filing (including a cash register or computer-generated receipt indicating filing of Form I-360).

**E. Documentation indicating that the INS has initiated deportation or removal proceedings in which relief may be available**

- An “Order to Show Cause”;
- A “Notice to Appear”;
- A “Notice of Hearing in Deportation Proceedings.”